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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11
12 Plaintiff,
13 v.
14 DEAN THOMAS JOSHUA WINTERS,
15 Defendant.

Case No. 2:24-mj-00956-DJA

**STIPULATION TO CONTINUE
MOTION DEADLINES AND BENCH
TRIAL**
(First Request)

16
17 IT IS HEREBY STIPULATED AND AGREED, by and between Sue Fahami, Acting
18 United States Attorney, and Skyler Pearson, Assistant United States Attorney, counsel for the
19 United States of America, and Rene L. Valladares, Federal Public Defender, and Rick Mula,
20 Assistant Federal Public Defender, counsel for Dean Thomas Joshua Winters, that the bench
21 trial scheduled for April 9, 2025, be vacated and set to a date and time convenient to this Court,
22 but no sooner than sixty (60) days.

23 IT IS FURTHER STIPULATED AND AGREED, that the parties herein shall have to
24 and including May 2, 2025, to file any and all pretrial motions and notices of defense.

25 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
26 shall have to and including May 16, 2025, to file any and all responsive pleadings.

1 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
2 shall have to and including May 23, 2025, to file any and all replies to dispositive motions.

3 The Stipulation is entered into for the following reasons:

4 1. Counsel for the defendant needs additional time to conduct investigation in this
5 case in order to determine whether there are any pretrial issues that must be litigated and
6 whether the case will ultimately go to trial or will be resolved through negotiations.

7 2. The defendant is out of custody and does not object to the continuance.

8 3. The parties agree to the continuance.

9 4. The additional time requested herein is not sought for purposes of delay, but
10 merely to allow counsel for defendant sufficient time within which to be able to effectively and
11 complete investigation of the discovery materials provided.

12 5. Additionally, denial of this request for continuance could result in a miscarriage
13 of justice. The additional time requested by this Stipulation is excludable in computing the time
14 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
15 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
16 Section 3161(h)(7)(B)(i), (iv).

17 This is the first stipulation to continue filed herein.

18 DATED this 4th day of March, 2025.

19 RENE L. VALLADARES
20 Federal Public Defender

21 By /s/ Rick Mula

22 RICK MULA
Assistant Federal Public Defender

SUE FAHAMI
Acting United States Attorney

By /s/ Skyler Pearson

SKYLER PEARSON
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 DEAN THOMAS JOSHUA WINTERS,

7 Defendant.

Case No. 2:24-mj-00956-DJA

8 FINDINGS OF FACT, CONCLUSIONS
9 OF LAW AND ORDER

10 FINDINGS OF FACT

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
12 Court finds that:

13 1. Counsel for the defendant needs additional time to conduct investigation in this
14 case in order to determine whether there are any pretrial issues that must be litigated and
15 whether the case will ultimately go to trial or will be resolved through negotiations.

16 2. The defendant is out of custody and does not object to the continuance.

17 3. The parties agree to the continuance.

18 4. The additional time requested herein is not sought for purposes of delay, but
19 merely to allow counsel for defendant sufficient time within which to be able to effectively and
20 complete investigation of the discovery materials provided.

21 5. Additionally, denial of this request for continuance could result in a miscarriage
22 of justice. The additional time requested by this Stipulation is excludable in computing the time
23 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
24 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
25 Section 3161(h)(7)(B)(i), (iv).

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

ORDER

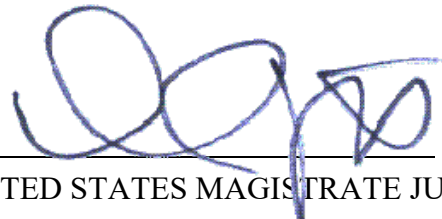
IT IS THEREFORE ORDERED that the parties herein shall have to and including May 2, 2025 to file any and all pretrial motions and notice of defense.

IT IS FURTHER ORDERED that the parties shall have to and including May 16, 2025 to file any and all responses.

IT IS FURTHER ORDERED that the parties shall have to and including May 23, 2025 to file any and all replies.

IT IS FURTHER ORDERED that the bench trial currently scheduled for April 9, 2025, at the hour of 9:00 a.m., be vacated and continued to **June 18, 2025, at 9:00 a.m.**

DATED this 4th day of March, 2025.


UNITED STATES MAGISTRATE JUDGE